

House Study Bill 303

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON DIX)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to state departments
2 and agencies from the rebuild Iowa infrastructure fund,
3 environment first fund, tobacco settlement trust fund,
4 vertical infrastructure fund, general fund of the state, and
5 related matters, and including an effective date provision.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 3567YC 81
8 mg/cf/24

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1 1 DIVISION I
1 2 REBUILD IOWA INFRASTRUCTURE FUND
1 3 Section 1. There is appropriated from the rebuild Iowa
1 4 infrastructure fund to the following departments and agencies
1 5 for the fiscal year beginning July 1, 2005, and ending June
1 6 30, 2006, the following amounts, or so much thereof as is
1 7 necessary, to be used for the purposes designated:
1 8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
1 9 a. For technology improvement projects:
1 10 \$ 3,802,000
1 11 Of the amount appropriated in this lettered paragraph,
1 12 \$2,700,000 is allocated for continued implementation and
1 13 operation of the integrated information for Iowa system;
1 14 \$792,000 is allocated for continued development and
1 15 implementation of the electronic tax administration project;
1 16 and \$310,000 is allocated for maintenance and costs associated
1 17 with upgrading the enterprise data warehouse.
1 18 b. For relocation and project costs directly associated
1 19 with remodeling projects on the capitol complex and for
1 20 facility lease payments:
1 21 \$ 1,824,000
1 22 c. For routine maintenance of state buildings and
1 23 facilities:
1 24 \$ 2,000,000
1 25 d. For major renovation and major repair needs, including
1 26 health, life, and fire safety needs, and for compliance with
1 27 the federal Americans With Disabilities Act, for state
1 28 buildings and facilities under the purview of the department:
1 29 \$ 1,925,427
1 30 e. For upgrades to the electrical distribution system
1 31 serving the capitol complex:
1 32 \$ 1,843,878
1 33 f. For remodeling and renovation of the sexually violent
1 34 predators unit at Cherokee:
1 35 \$ 1,400,000
2 1 g. For the costs associated with the replacement of the
2 2 powerhouse facilities at the Iowa juvenile home at Toledo:
2 3 \$ 1,311,045
2 4 h. For improvements to the Wallace state office building:
2 5 \$ 625,000
2 6 2. DEPARTMENT OF CORRECTIONS
2 7 a. For maintenance costs of the department of corrections
2 8 and board of parole associated with the department of
2 9 administrative services:
2 10 \$ 105,300
2 11 b. For construction of a community-based correctional
2 12 facility, including district offices, in Fort Dodge:
2 13 \$ 50,000
2 14 c. For the lease-payment under the lease-purchase
2 15 agreement to connect the electrical system supporting the

2 16 special needs unit in Fort Madison:
 2 17 \$ 333,168
 2 18 d. For remodeling and renovation of the kitchen facilities
 2 19 at the Anamosa correctional facility:
 2 20 \$ 1,090,000
 2 21 3. DEPARTMENT OF CULTURAL AFFAIRS
 2 22 For continuation of the project recommended by the Iowa
 2 23 battle flag advisory committee to stabilize the condition of
 2 24 the battle flag collection:
 2 25 \$ 220,000
 2 26 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 2 27 a. To provide a grant to match federal grant dollars that
 2 28 affect areas that are both an enterprise zone and a brownfield
 2 29 site in a county with a population of at least 103,000:
 2 30 \$ 500,000
 2 31 b. For costs associated with a study involving an
 2 32 environmental assessment and preliminary cultural and
 2 33 historical impact related to the establishment of a regional
 2 34 ferryboat service between Iowa and Illinois:
 2 35 \$ 60,000
 3 1 The funds are to be allocated to an area of the state that
 3 2 has an established ferryboat task force. The funds
 3 3 appropriated in this lettered paragraph are contingent upon
 3 4 the receipt of federal matching funds and financial
 3 5 participation by the state of Illinois in the study.
 3 6 5. DEPARTMENT OF EDUCATION
 3 7 a. To provide resources for structural and technological
 3 8 improvements to local libraries and for the enrich Iowa
 3 9 program:
 3 10 \$ 600,000
 3 11 b. For maintenance and lease costs associated with
 3 12 connections for part III of the Iowa communications network:
 3 13 \$ 2,727,000
 3 14 c. To the public broadcasting division for replacing
 3 15 transmitters:
 3 16 \$ 2,000,000
 3 17 d. To the vocational rehabilitation division to replace
 3 18 lost indirect costs:
 3 19 \$ 101,164
 3 20 6. DEPARTMENT OF HUMAN SERVICES
 3 21 To provide a grant for the planning, design, and
 3 22 construction of a residential treatment facility for youth
 3 23 with emotional and behavioral disorders in a central Iowa
 3 24 county with a population of approximately 80,000:
 3 25 \$ 250,000
 3 26 7. IOWA STATE FAIR AUTHORITY
 3 27 For vertical infrastructure projects on the state
 3 28 fairgrounds:
 3 29 \$ 750,000
 3 30 For purposes of this subsection, "vertical infrastructure"
 3 31 means the same as defined in section 8.57, subsection 6,
 3 32 paragraph "c".
 3 33 8. NATIONAL PROGRAM FOR PLAYGROUND SAFETY AT THE
 3 34 UNIVERSITY OF NORTHERN IOWA
 3 35 For the Iowa safe surfacing initiative:
 4 1 \$ 500,000
 4 2 Not more than 2.5 percent of the funds appropriated in this
 4 3 subsection shall be used by the national program for
 4 4 playground safety for administrative costs associated with the
 4 5 Iowa safe surfacing initiative.
 4 6 The crumb rubber playground tiles for the initiative shall
 4 7 be international play equipment manufacturers association
 4 8 (IPEMA)-certified to the American society for testing and
 4 9 materials (ASTM) F1292 standard.
 4 10 9. DEPARTMENT OF NATURAL RESOURCES
 4 11 a. For the dredging of lakes, including necessary
 4 12 preparation for dredging, in accordance with the department's
 4 13 classification of Iowa lakes restoration report:
 4 14 \$ 1,000,000
 4 15 The department shall consider the following criteria for
 4 16 funding lake dredging projects as provided in this lettered
 4 17 paragraph, and shall prioritize projects based on the
 4 18 following:
 4 19 (1) Documented efforts to address watershed protection,
 4 20 considering testing, conservation efforts, and amount of time
 4 21 devoted to watershed protection.
 4 22 (2) Protection of a natural resource and natural habitat.
 4 23 (3) Percentage of public access and undeveloped lakefront
 4 24 property.
 4 25 (4) Continuation of current projects partially funded by
 4 26 state resources to achieve department recommendations.

4 27 b. For the purchase of property adjacent to Waubonsie
 4 28 state park and for the improvement of facilities at Waubonsie
 4 29 state park:
 4 30 \$ 1,500,000
 4 31 c. For costs associated with renovation and improvements
 4 32 at the Fort Atkinson state preserve:
 4 33 \$ 500,000
 4 34 d. For costs associated with Iowa's membership in the mid=
 4 35 America port commission established in chapter 28K:
 5 1 \$ 80,000
 5 2 10. DEPARTMENT OF PUBLIC SAFETY
 5 3 a. For costs of entering into and making payments under a
 5 4 lease-purchase agreement to replace and upgrade the automated
 5 5 fingerprint identification system:
 5 6 \$ 550,000
 5 7 b. To the division of fire safety for allocation to the
 5 8 fire service training bureau for the planning, design, and
 5 9 construction of a regional training facility in the state:
 5 10 \$ 500,000
 5 11 c. To the division of fire safety for allocation to the
 5 12 fire service training bureau to be used for the revolving loan
 5 13 program for equipment purchases by local fire departments:
 5 14 \$ 500,000
 5 15 d. For capitol building and judicial building security:
 5 16 \$ 800,000
 5 17 11. STATE BOARD OF REGENTS
 5 18 For maintenance at the Iowa school for the deaf and the
 5 19 Iowa braille and sight saving school:
 5 20 \$ 500,000
 5 21 12. STATE DEPARTMENT OF TRANSPORTATION
 5 22 a. For operation and maintenance of the network of
 5 23 automated weather observation and data transfer systems
 5 24 associated with the Iowa aviation weather system, the runway
 5 25 marking program for public airports, the windsock program for
 5 26 public airports, and the aviation improvement program:
 5 27 \$ 500,000
 5 28 b. For a vertical infrastructure improvement grant program
 5 29 for improvements at general aviation airports within the
 5 30 state:
 5 31 \$ 750,000
 5 32 c. For acquiring, constructing, and improving recreational
 5 33 trails within the state:
 5 34 \$ 1,000,000
 5 35 Of the amount appropriated in this lettered paragraph,
 6 1 \$500,000 shall be used for funding, on a matching basis,
 6 2 recreational trail projects, with priority given to completion
 6 3 of trail connections and sections between existing trails and
 6 4 parks within the established state recreational trails system.
 6 5 Such projects shall be matched by \$1 of private or other funds
 6 6 for each \$3 of state funds.
 6 7 Sec. 2. There is appropriated from the rebuild Iowa
 6 8 infrastructure fund to the following departments and agencies
 6 9 for the fiscal year beginning July 1, 2006, and ending June
 6 10 30, 2007, the following amounts, or so much thereof as is
 6 11 necessary, to be used for the purposes designated:
 6 12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 6 13 a. For costs associated with the remodeling of the records
 6 14 and property center:
 6 15 \$ 2,200,000
 6 16 b. For costs associated with the replacement of the
 6 17 powerhouse facilities at the Iowa juvenile home at Toledo:
 6 18 \$ 1,371,045
 6 19 2. DEPARTMENT OF CORRECTIONS
 6 20 a. For construction of a community-based correctional
 6 21 facility, including district offices, in Fort Dodge:
 6 22 \$ 1,400,000
 6 23 b. For the remodeling and renovation of the kitchen
 6 24 facilities at the Anamosa correctional facility:
 6 25 \$ 1,690,000
 6 26 Sec. 3. DEPARTMENT OF CORRECTIONS. There is appropriated
 6 27 from the rebuild Iowa infrastructure fund to the department of
 6 28 corrections for the fiscal year beginning July 1, 2007, and
 6 29 ending June 30, 2008, the following amount, or so much thereof
 6 30 as is necessary, to be used for the purpose designated:
 6 31 For construction of a community-based correctional
 6 32 facility, including district offices, in Fort Dodge:
 6 33 \$ 2,450,000
 6 34 Sec. 4. 2004 Iowa Acts, chapter 1175, section 288,
 6 35 subsection 13, paragraph c, is amended to read as follows:
 7 1 c. For costs of entering into and making a down payment
 7 2 under a lease-purchase agreement to replace and upgrade the

7 3 automated fingerprint identification system, notwithstanding
7 4 section 8.57, subsection 5, paragraph "c":
7 5 FY 2004=2005 \$ 550,000
7 6 The appropriation made in this lettered paragraph to enter
7 7 into and make payments under a lease-purchase agreement
7 8 constitutes approval by the general assembly of a financing
7 9 agreement in excess of \$1 million as required by section
7 10 12.28, subsection 6.

7 11 Sec. 5. COMMISSION OF VETERANS AFFAIRS TRANSFER.
7 12 Notwithstanding 2002 Iowa Acts, chapter 1173, section 10,
7 13 subsection 13, any unencumbered and unobligated moneys
7 14 remaining on the effective date of this section from the
7 15 appropriation made in 2002 Iowa Acts, chapter 1173, section
7 16 10, subsection 12, may be transferred to the appropriation
7 17 made in 2000 Iowa Acts, chapter 1225, section 19, to be used
7 18 for the purposes designated in 2000 Iowa Acts, chapter 1225,
7 19 section 19, as amended by 2004 Iowa Acts, chapter 1175,
7 20 section 296.

7 21 Sec. 6. REVERSION. Notwithstanding section 8.33, moneys
7 22 appropriated from the rebuild Iowa infrastructure fund in this
7 23 division of this Act, except for the moneys appropriated in
7 24 section 1, subsection 2, paragraph "a", for maintenance costs
7 25 of the department of corrections and subsection 5, paragraph
7 26 "d", for the vocational rehabilitation division of the
7 27 department of education, shall not revert at the close of the
7 28 fiscal year for which they were appropriated but shall remain
7 29 available for the purposes designated until the close of the
7 30 fiscal year that begins July 1, 2008, or until the project for
7 31 which the appropriation was made is completed, whichever is
7 32 earlier. This section does not apply to the sections in this
7 33 division of this Act that were previously enacted and are
7 34 amended in this division of this Act.

7 35 Sec. 7. The provision in section 8.57, subsection 6,
8 1 paragraph "c", that limits the use of the moneys in the
8 2 rebuild Iowa infrastructure fund shall not apply to the
8 3 appropriations made from such fund in this division of this
8 4 Act.

8 5 Sec. 8. EFFECTIVE DATE. The sections of this division of
8 6 this Act relating to the amendment to 2004 Iowa Acts, chapter
8 7 1175, section 288, subsection 13, appropriating moneys for a
8 8 lease-purchase agreement, and relating to the commission of
8 9 veterans affairs transfer, being deemed of immediate
8 10 importance, take effect upon enactment.

8 11 DIVISION II

8 12 ENVIRONMENT FIRST FUND

8 13 Sec. 9. There is appropriated from the environment first
8 14 fund to the following departments and agencies for the fiscal
8 15 year beginning July 1, 2005, and ending June 30, 2006, the
8 16 following amounts, or so much thereof as is necessary, to be
8 17 used for the purposes designated:

8 18 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

8 19 a. For the conservation reserve enhancement program to
8 20 restore and construct wetlands for the purposes of
8 21 intercepting tile line runoff, reducing nutrient loss,
8 22 improving water quality, and enhancing agricultural production
8 23 practices:

8 24 \$ 1,500,000

8 25 Not more than 5 percent of the moneys appropriated in this
8 26 lettered paragraph may be used for costs of administration and
8 27 implementation of soil and water conservation practices.

8 28 b. For continuation of a program that provides
8 29 multiobjective resource protections for flood control, water
8 30 quality, erosion control, and natural resource conservation:

8 31 \$ 2,700,000

8 32 Not more than 5 percent of the moneys appropriated in this
8 33 lettered paragraph may be used for costs of administration and
8 34 implementation of soil and water conservation practices.

8 35 c. For continuation of a statewide voluntary farm
9 1 management demonstration program to demonstrate the
9 2 effectiveness and adaptability of emerging practices in
9 3 agronomy that protect water resources and provide other
9 4 environmental benefits:

9 5 \$ 850,000

9 6 Not more than 5 percent of the moneys appropriated in this
9 7 lettered paragraph may be used for costs of administration and
9 8 implementation of soil and water conservation practices.

9 9 Of the amount appropriated in this lettered paragraph,
9 10 \$400,000 shall be allocated to the Iowa soybean association's
9 11 agriculture and environment performance program.

9 12 d. For deposit in the alternative drainage system
9 13 assistance fund created in section 460.303 to be used for

9 14 purposes of supporting the alternative drainage system
 9 15 assistance program as provided in section 460.304:
 9 16 \$ 500,000
 9 17 Not more than 5 percent of the moneys appropriated in this
 9 18 lettered paragraph may be used for costs of administration and
 9 19 implementation of soil and water conservation practices.
 9 20 e. To provide financial assistance for the establishment
 9 21 of permanent soil and water conservation practices:
 9 22 \$ 5,500,000
 9 23 (1) Not more than 5 percent of the moneys appropriated in
 9 24 this lettered paragraph may be allocated for cost-sharing to
 9 25 abate complaints filed under section 161A.47.
 9 26 (2) Of the moneys appropriated in this lettered paragraph,
 9 27 5 percent shall be allocated for financial incentives to
 9 28 establish practices to protect watersheds above publicly owned
 9 29 lakes of the state from soil erosion and sediment as provided
 9 30 in section 161A.73.
 9 31 (3) Not more than 30 percent of a soil and water
 9 32 conservation district's allocation of moneys as financial
 9 33 incentives may be provided for the purpose of establishing
 9 34 management practices to control soil erosion on land that is
 9 35 row-cropped, including but not limited to no-till planting,
 10 1 ridge-till planting, contouring, and contour strip-cropping as
 10 2 provided in section 161A.73.
 10 3 (4) The state soil conservation committee created in
 10 4 section 161A.4 may allocate moneys appropriated in this
 10 5 lettered paragraph to conduct research and demonstration
 10 6 projects to promote conservation tillage and nonpoint source
 10 7 pollution control practices.
 10 8 (5) The financial incentive payments may be used in
 10 9 combination with department of natural resources moneys.
 10 10 (6) Not more than 10 percent of the moneys appropriated in
 10 11 this lettered paragraph may be used for costs of
 10 12 administration and implementation of soil and water
 10 13 conservation practices.
 10 14 f. To encourage and assist farmers in enrolling in and the
 10 15 implementation of federal conservation programs and work with
 10 16 them to enhance their revegetation efforts to improve water
 10 17 quality and habitat:
 10 18 \$ 2,000,000
 10 19 Not more than 5 percent of the moneys appropriated in this
 10 20 lettered paragraph may be used for costs of administration and
 10 21 implementation of soil and water conservation practices.
 10 22 g. For deposit in the loess hills development and
 10 23 conservation fund created in section 161D.2:
 10 24 \$ 600,000
 10 25 Of the amount appropriated in this lettered paragraph,
 10 26 \$400,000 shall be allocated to the hungry canyons account and
 10 27 \$200,000 shall be allocated to the loess hills alliance
 10 28 account to be used for the purposes for which the moneys in
 10 29 those accounts are authorized to be used under chapter 161D.
 10 30 No more than 5 percent of the moneys allocated to each account
 10 31 in this lettered paragraph may be used for administrative
 10 32 costs.
 10 33 h. For deposit in the southern Iowa development and
 10 34 conservation fund created in section 161D.12:
 10 35 \$ 300,000
 11 1 Not more than 5 percent of the moneys appropriated in this
 11 2 lettered paragraph may be used for administrative costs.
 11 3 2. DEPARTMENT OF ECONOMIC DEVELOPMENT
 11 4 For deposit in the brownfield redevelopment fund created in
 11 5 section 15.293 to provide assistance under the brownfield
 11 6 redevelopment program:
 11 7 \$ 500,000
 11 8 3. DEPARTMENT OF NATURAL RESOURCES
 11 9 a. For statewide coordination of volunteer efforts under
 11 10 the water quality and keepers of the land programs:
 11 11 \$ 100,000
 11 12 b. For purposes of funding capital projects for the
 11 13 purposes specified in section 452A.79, and for expenditures
 11 14 for the local cost-share grants to be used for capital
 11 15 expenditures to local governmental units for boating
 11 16 accessibility:
 11 17 \$ 2,300,000
 11 18 c. For regular maintenance of state parks and staff time
 11 19 associated with these activities:
 11 20 \$ 2,000,000
 11 21 d. To provide local watershed managers with geographic
 11 22 information system data for their use in developing,
 11 23 monitoring, and displaying results of their watershed work:
 11 24 \$ 195,000

11 25 e. For continuing the establishment and operation of water
 11 26 quality monitoring stations:
 11 27 \$ 2,955,000
 11 28 f. For deposit in the administration account of the water
 11 29 quality protection fund, to carry out the purposes of that
 11 30 account:
 11 31 \$ 500,000
 11 32 g. For the dredging of lakes, including necessary
 11 33 preparation for dredging, in accordance with the department's
 11 34 classification of Iowa lakes restoration report:
 11 35 \$ 1,500,000
 12 1 The department shall consider the following criteria for
 12 2 funding lake dredging projects as provided in this lettered
 12 3 paragraph, and shall prioritize projects based on the
 12 4 following:
 12 5 (1) Documented efforts to address watershed protection,
 12 6 considering testing, conservation efforts, and the amount of
 12 7 time devoted to watershed protection.
 12 8 (2) Protection of a natural resource and natural habitat.
 12 9 (3) Percentage of public access and undeveloped lakefront
 12 10 property.
 12 11 (4) Continuation of current projects partially funded by
 12 12 state resources to achieve department recommendations.
 12 13 RESOURCES ENHANCEMENT AND PROTECTION FUND
 12 14 Sec. 10. Notwithstanding the amount of the standing
 12 15 appropriation from the general fund of the state under section
 12 16 455A.18, subsection 3, there is appropriated from the
 12 17 environment first fund to the Iowa resources enhancement and
 12 18 protection fund, in lieu of the appropriation made in section
 12 19 455A.18, for the fiscal year beginning July 1, 2005, and
 12 20 ending June 30, 2006, the following amount, to be allocated as
 12 21 provided in section 455A.19:
 12 22 \$ 11,000,000
 12 23 Sec. 11. REVERSION.
 12 24 1. Except as provided in subsection 2, and notwithstanding
 12 25 section 8.33, moneys appropriated in this division of this Act
 12 26 that remain unencumbered or unobligated shall not revert at
 12 27 the close of the fiscal year for which they were appropriated
 12 28 but shall remain available for the purposes designated until
 12 29 the close of the fiscal year beginning July 1, 2006, or until
 12 30 the project for which the appropriation was made is completed,
 12 31 whichever is earlier.
 12 32 2. Notwithstanding section 8.33, moneys appropriated in
 12 33 this division of this Act to the department of agriculture and
 12 34 land stewardship to provide financial assistance for the
 12 35 establishment of permanent soil and water conservation
 13 1 practices that remain unencumbered or unobligated at the close
 13 2 of the fiscal year shall not revert but shall remain available
 13 3 for expenditure for the purposes designated until the close of
 13 4 the fiscal year that begins July 1, 2008.
 13 5 DIVISION III
 13 6 TOBACCO SETTLEMENT TRUST FUND
 13 7 Sec. 12.
 13 8 1. There is appropriated from the tax-exempt bond proceeds
 13 9 restricted capital funds account of the tobacco settlement
 13 10 trust fund to the following departments and agencies for the
 13 11 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 13 12 the following amounts, or so much thereof as is necessary, to
 13 13 be used for the purposes designated:
 13 14 a. DEPARTMENT OF ADMINISTRATIVE SERVICES
 13 15 (1) For capitol interior restoration:
 13 16 \$ 4,500,000
 13 17 (2) For remodeling and renovation of the sexually violent
 13 18 predators unit located at the state mental health institute at
 13 19 Cherokee:
 13 20 \$ 650,000
 13 21 b. DEPARTMENT OF CORRECTIONS
 13 22 For the remodeling and renovation of the kitchen facilities
 13 23 at the Anamosa correctional facility:
 13 24 \$ 600,000
 13 25 c. DEPARTMENT OF ECONOMIC DEVELOPMENT
 13 26 For accelerated career education program capital projects
 13 27 at community colleges that are authorized under chapter 260G
 13 28 and that meet the definition of "vertical infrastructure" in
 13 29 section 8.57B, subsection 3:
 13 30 \$ 1,500,000
 13 31 The moneys appropriated in this lettered paragraph shall be
 13 32 allocated equally among the community colleges in the state.
 13 33 If any portion of the equal allocation to a community college
 13 34 is not obligated or encumbered by April 1, 2006, the
 13 35 unobligated and unencumbered portions shall be available for

14 1 use by other community colleges.
 14 2 d. DEPARTMENT OF HUMAN SERVICES
 14 3 For planning, design, and construction of a family resource
 14 4 center in a city with a population between 95,000 and 100,000
 14 5 residents:
 14 6 \$ 250,000
 14 7 e. DEPARTMENT OF PUBLIC SAFETY
 14 8 For the first phase of the regional emergency responder
 14 9 training facility project of the nonprofit Dubuque county fire
 14 10 fighters association:
 14 11 \$ 100,000
 14 12 f. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
 14 13 For replacement of equipment for the Iowa communications
 14 14 network:
 14 15 \$ 1,704,719
 14 16 g. STATE DEPARTMENT OF TRANSPORTATION
 14 17 For vertical infrastructure improvements at the commercial
 14 18 air service airports within the state:
 14 19 \$ 1,500,000
 14 20 Fifty percent of the funds appropriated in this lettered
 14 21 paragraph shall be allocated equally between each commercial
 14 22 service airport, 40 percent of the funds shall be allocated
 14 23 based on the percentage that the number of enplaned passengers
 14 24 at each commercial service airport bears to the total number
 14 25 of enplaned passengers in the state during the previous fiscal
 14 26 year, and 10 percent of the funds shall be allocated based on
 14 27 the percentage that the air cargo tonnage at each commercial
 14 28 service airport bears to the total air cargo tonnage in the
 14 29 state during the previous fiscal year. In order for a
 14 30 commercial service airport to receive funding under this
 14 31 lettered paragraph, the airport shall be required to submit
 14 32 applications for funding of specific projects to the
 14 33 department for approval by the state transportation
 14 34 commission.

14 35 2. TAX-EXEMPT STATUS == USE OF APPROPRIATIONS. Payment of
 15 1 moneys from the appropriations in this section shall be made
 15 2 in a manner that does not adversely affect the tax-exempt
 15 3 status of any outstanding bonds issued by the tobacco
 15 4 settlement authority.

15 5 3. REVERSION. Notwithstanding section 8.33, moneys
 15 6 appropriated in this section shall not revert at the close of
 15 7 the fiscal year for which they were appropriated but shall
 15 8 remain available for the purposes designated until the close
 15 9 of the fiscal year that begins July 1, 2006, or until the
 15 10 project for which the appropriation was made is completed,
 15 11 whichever is earlier.

15 12 Sec. 13. PAYMENTS IN LIEU OF TUITION. There is
 15 13 appropriated from the tax-exempt bond proceeds restricted
 15 14 capital funds account of the tobacco settlement trust fund to
 15 15 the state board of regents for the fiscal year beginning July
 15 16 1, 2005, and ending June 30, 2006, the following amount, or so
 15 17 much thereof as is necessary, to be used for the purposes
 15 18 designated:

15 19 For allocation by the state board of regents to the state
 15 20 university of Iowa, the Iowa state university of science and
 15 21 technology, and the university of northern Iowa to reimburse
 15 22 the institutions for deficiencies in their operating funds
 15 23 resulting from the pledging of tuitions, student fees and
 15 24 charges, and institutional income to finance the cost of
 15 25 providing academic and administrative buildings and facilities
 15 26 and utility services at the institutions:
 15 27 \$ 10,329,981

15 28 Sec. 14. PRISON DEBT SERVICE. There is appropriated from
 15 29 the tax-exempt bond proceeds restricted capital funds account
 15 30 of the tobacco settlement trust fund to the office of the
 15 31 treasurer of state for the fiscal year beginning July 1, 2005,
 15 32 and ending June 30, 2006, the following amount, or so much
 15 33 thereof as is necessary, to be used for the purpose
 15 34 designated:

15 35 For repayment of prison infrastructure bonds under section
 16 1 16.177:
 16 2 \$ 5,422,390

16 3 Sec. 15. The provision in section 12E.12, subsection 1,
 16 4 paragraph "b", subparagraph (1), that limits the use of the
 16 5 moneys in the tax-exempt bond proceeds restricted capital
 16 6 funds account of the tobacco settlement trust fund shall not
 16 7 apply to the appropriations made from such account in this
 16 8 division of this Act.

16 9 DIVISION IV
 16 10 VERTICAL INFRASTRUCTURE FUND

16 11 Sec. 16. There is appropriated from the vertical

16 12 infrastructure fund to the following departments and agencies
16 13 for the fiscal year beginning July 1, 2005, and ending June
16 14 30, 2006, the following amounts, or so much thereof as is
16 15 necessary, to be used for the purposes designated:

16 16 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

16 17 For major renovation and major repair needs, including
16 18 health, life, and fire safety needs, and for compliance with
16 19 the federal Americans With Disabilities Act, for state
16 20 buildings and facilities under the purview of the department:

16 21 \$ 5,623,200

16 22 Of the amount appropriated in this subsection, up to
16 23 \$200,000 may be used for costs associated with the vertical
16 24 infrastructure program, notwithstanding section 8.57B,
16 25 subsection 3.

16 26 2. DEPARTMENT OF CULTURAL AFFAIRS

16 27 For historical site preservation grants, to be used for the
16 28 restoration, preservation, and development of historical
16 29 sites:

16 30 \$ 500,000

16 31 Historical site preservation grants shall only be awarded
16 32 for projects which meet the definition of "vertical
16 33 infrastructure" in section 8.57B, subsection 3.

16 34 In making grants pursuant to this subsection, the
16 35 department shall consider the existence and amount of other
17 1 funds available to an applicant for the designated project. A
17 2 grant awarded from moneys appropriated in this subsection
17 3 shall not exceed \$100,000 per project. Not more than two
17 4 grants may be awarded in the same county.

17 5 3. DEPARTMENT OF ECONOMIC DEVELOPMENT

17 6 For accelerated career education program capital projects
17 7 at community colleges that are authorized under chapter 260G
17 8 and that meet the definition of "vertical infrastructure" in
17 9 section 8.57B, subsection 3:

17 10 \$ 4,000,000

17 11 The moneys appropriated in this subsection shall be
17 12 allocated equally among the community colleges in the state.
17 13 If any portion of the equal allocation to a community college
17 14 is not obligated or encumbered by April 1, 2006, the
17 15 unobligated and unencumbered portions shall be available for
17 16 use by other community colleges.

17 17 4. DEPARTMENT OF PUBLIC DEFENSE

17 18 a. For construction of a national guard readiness center
17 19 in or near Fort Dodge:

17 20 \$ 608,000

17 21 b. For maintenance and repair of national guard armories
17 22 and facilities:

17 23 \$ 1,269,000

17 24 c. For upgrading the water treatment facility at Camp
17 25 Dodge:

17 26 \$ 1,939,800

17 27 5. OFFICE OF TREASURER OF STATE

17 28 For county fair infrastructure improvements for
17 29 distribution in accordance with chapter 174 to qualified fairs
17 30 which belong to the association of Iowa fairs:

17 31 \$ 1,060,000

17 32 Sec. 17. REVERSION. Notwithstanding section 8.33, moneys
17 33 appropriated from the vertical infrastructure fund in this
17 34 division of this Act shall not revert at the close of the
17 35 fiscal year for which they were appropriated but shall remain
18 1 available for the purposes designated until the close of the
18 2 fiscal year that begins July 1, 2008, or until the project for
18 3 which the appropriation was made is completed, whichever is
18 4 earlier.

18 5 DIVISION V

18 6 RAILROAD REVOLVING LOAN AND GRANT FUND

18 7 Sec. 18. Section 327H.20A, Code 2005, is amended to read
18 8 as follows:

18 9 327H.20A RAILROAD REVOLVING LOAN AND GRANT FUND.

18 10 1. A railroad revolving loan and grant fund is established
18 11 in the office of the treasurer of state under the control of
18 12 the department. Moneys in ~~this~~ the fund shall be expended for
18 13 loans the following purposes:

18 14 a. Grants or loans to provide assistance for the
18 15 restoration, conservation, improvement, and construction of
18 16 railroad main lines, branch lines, switching yards, sidings,
18 17 rail connections, intermodal yards, highway grade separations,
18 18 and other railroad-related improvements.

18 19 b. Grants or loans for rail economic development projects
18 20 that improve rail facilities, including the construction of
18 21 branch lines, sidings, rail connections, intermodal yards, and
18 22 other rail-related improvements that spur economic development

18 23 and job growth.

18 24 2. The department shall administer a program for the
18 25 granting and administration of loans and grants under this
18 26 section. No more than fifty percent of the total moneys
18 27 available in the fund in any year shall be awarded in the form
18 28 of grants. The department may establish a limit on the amount
18 29 that may be awarded as a grant for any given project in order
18 30 to maximize the use of the moneys in the fund. The department
18 31 may enter into agreements with railroad corporations, the
18 32 United States government, cities, counties, and other persons
18 33 for carrying out the purposes of this section.

18 34 3. Moneys Notwithstanding any other provision to the
18 35 contrary, on or after July 1, 2006, moneys received as loan
19 1 repayments for loans made pursuant to this chapter or chapter
19 2 327I before, on, or after July 1, 2005, other than repayments
19 3 of federal moneys subject to section 327H.21, shall be
19 4 credited to the railroad revolving loan and grant fund.
19 5 Notwithstanding section 8.33, moneys in the railroad revolving
19 6 loan and grant fund shall not revert to the general fund of
19 7 the state but shall remain available indefinitely for
19 8 expenditure under this section.

19 9 Sec. 19. Sections 327H.18 and 327H.20, Code 2005, are
19 10 repealed.

19 11 Sec. 20. Notwithstanding section 327H.18, Code 2005, and
19 12 chapter 327I, there is appropriated from the general fund of
19 13 the state to the state department of transportation for the
19 14 fiscal year beginning July 1, 2004, and ending June 30, 2005,
19 15 for deposit in the railroad revolving fund established in
19 16 section 327H.20A, an amount equal to the amount of the loan
19 17 repayments made under section 327H.18, Code 2005, and chapter
19 18 327I that exceed \$1,308,704 during the fiscal year beginning
19 19 July 1, 2004.

19 20 Sec. 21. Notwithstanding section 327H.18, Code 2005, and
19 21 chapter 327I, there is appropriated from the general fund of
19 22 the state to the state department of transportation for the
19 23 fiscal year beginning July 1, 2005, and ending June 30, 2006,
19 24 for deposit in the railroad revolving loan and grant fund
19 25 established in section 327H.20A, as amended by this Act, an
19 26 amount equal to the amount of the loan repayments made under
19 27 section 327H.18, Code 2005, and chapter 327I that exceed
19 28 \$1,288,481 during the fiscal year beginning July 1, 2005.

19 29 Sec. 22. CONTINUATION OF PRIOR AGREEMENTS. It is the
19 30 intent of the general assembly that the enactment of this
19 31 division of this Act shall not affect the terms or duration of
19 32 railroad assistance agreements entered into under chapter 327H
19 33 prior to the effective date of this division of this Act.

19 34 Sec. 23. EFFECTIVE DATE AND APPLICABILITY. The section of
20 1 this division of this Act that appropriates excess rail
20 2 assistance loan repayments for the fiscal year beginning July
20 3 1, 2004, and ending June 30, 2005, being deemed of immediate
20 4 importance, takes effect upon enactment and applies
20 5 retroactively to July 1, 2004.

20 5 EXPLANATION

20 6 This bill makes appropriations for FY 2005=2006 from the
20 7 rebuild Iowa infrastructure fund, environment first fund, tax=
20 8 exempt bond proceeds restricted capital funds account of the
20 9 tobacco settlement trust fund, and vertical infrastructure
20 10 fund for various capital and other projects. Appropriations
20 11 from the rebuild Iowa infrastructure fund include projects for
20 12 the departments of administrative services, corrections,
20 13 cultural affairs, economic development, education, human
20 14 services, natural resources, public safety, and
20 15 transportation, and the national program for playground
20 16 safety, Iowa state fair authority, and state board of regents.

20 17 The bill also appropriates from the rebuild Iowa
20 18 infrastructure fund for FY 2006=2007 and FY 2007=2008 for
20 19 projects of the departments of administrative services and
20 20 corrections.

20 21 The bill appropriates funds from the environment first fund
20 22 to the departments of agriculture and land stewardship,
20 23 economic development, and natural resources. The bill
20 24 appropriates \$11 million from the environment first fund to
20 25 the resources enhancement and protection fund in lieu of the
20 26 \$20 million appropriated by statute from the general fund of
20 27 the state.

20 28 The bill makes appropriations from the tax=exempt bond
20 29 proceeds restricted capital funds account of the tobacco
20 30 settlement trust fund for projects for the departments of
20 31 administrative services, corrections, economic development,
20 32 human services, public safety, and transportation and the Iowa
20 33 telecommunications and technology commission.

20 34 The bill also appropriates funds from the tax-exempt bond
20 35 proceeds restricted capital funds account of the tobacco
21 1 settlement trust fund to the state board of regents for
21 2 tuition replacement and to the office of the treasurer of
21 3 state for debt service for repayment of prison infrastructure
21 4 bonds.
21 5 The bill also appropriates funds from the vertical
21 6 infrastructure fund for capital projects of the departments of
21 7 administrative services, cultural affairs, economic
21 8 development, and public defense, and the treasurer of state.
21 9 Amendments to Code section 327H.20A change the railroad
21 10 revolving loan fund to the railroad revolving loan and grant
21 11 fund to allow moneys in the fund to be used for both grants
21 12 and loans for rail economic development projects and for rail
21 13 assistance purposes. No more than 50 percent of available
21 14 moneys may be awarded as grants in any year, and the state
21 15 department of transportation may limit the grant amount that
21 16 may be awarded for a given project. Amounts in excess of
21 17 anticipated state rail assistance loan repayments in FY 2004=
21 18 2005 and FY 2005=2006 are appropriated for deposit in the
21 19 railroad revolving loan and grant fund. Beginning in FY 2006=
21 20 2007, all moneys from state rail assistance loan repayments
21 21 are to be credited to the fund. Conflicting and obsolete Code
21 22 provisions relating to rail assistance are repealed.
21 23 The bill includes an effective date provision.
21 24 LSB 3567YC 81
21 25 mg:nh/cf/24